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Attorneys for Defendant Target Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OKECHUKWU MBAMA, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

TARGET CORPORATION, a Minnesota
Corporation, and Does 1-25, inclusive,

Defendants.

No. C-07-3014-SI

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE MANAGEMENT
CONFERENCE AND STAY**

Date: Friday, January 18, 2008
Time: 2:00 p.m.
Courtroom: 10, 19th Floor
Judge: Hon. Susan Illston

1 Additional Counsel for Plaintiff Okechukwu Mbama:

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STIPULATION

Plaintiff Okechukwu Mbama and defendant Target Corporation (“Target”), appearing through their respective counsel of record, stipulate as follows:

1. On September 18, 2007, the parties’ filed their first Joint Case Management Statement (Docket No. 24); informed the Court of the related litigation in *Mora v. Target Corp.*, U.S.D.C., S.D. Cal., No. 07-CV-0719-BEN-WMC (“*Mora*”), pending before United States District Judge Roger T. Benitez in the Southern District of California; and reported Target’s motion to dismiss the complaint in *Mora* was still pending before Judge Benitez.

2. On September 28, 2007, following the initial case management conference in this action, the Court stayed proceedings and set a further case management conference for Friday, November 16, 2007, to allow Judge Benitez time to rule on Target’s motion to dismiss in *Mora*.

3. On November 9, 2007, the parties reported in their Joint Case Management Statement (Docket No. 28) that Judge Benitez had denied Target’s motion to dismiss the complaint in *Mora*, but had simultaneously issued an order to show cause why *Mora* should not be dismissed for lack of subject matter jurisdiction. Based on its confidence that Judge Benitez would find jurisdiction in *Mora* proper under the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d), Target asked that the Court continue the case management conference and stay until January 2008 in the hope that Judge Benitez would have discharged the order to show cause.

4. Following the case management conference on November 16, 2007, the Court continued the stay in this action and set a further case management conference for January 18, 2008.

5. Even though the parties in *Mora* filed briefs in support of the Court’s jurisdiction, Judge Benitez has not yet discharged his order to show cause in *Mora*.

6. Accordingly, the parties request that the Court vacate the case management conference set for January 18, 2008; set a further case management conference for Friday, February 29, 2008, at 2:30 p.m.; and continue the stay in this action until February 29, 2008.

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1 Dated: January 15, 2008.

JOSE R. MATA
SUSAN SEEMILLER
BAILEY PINNEY, PC

3 BONNIE MAC FARLANE

4
5 By: /s/ Jose R. Mata

Jose R. Mata
Attorneys for Plaintiff Okechukwu Mbama

7 Dated: January 15, 2008.

JEFFREY D. WOHL
RISHI N. SHARMA
GREGGORY W. DALTON
PAUL, HASTINGS, JANOFISKY & WALKER LLP

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10 By: /s/ Rishi N. Sharma

Rishi N. Sharma
Attorneys for Defendant Target Corporation

CASE MANAGEMENT ORDER

On the stipulation of the parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that the further case management conference set for Friday, January 18, 2008, at 2:30 p.m. in this action is vacated.

IT IS HEREBY ALSO ORDERED that the parties shall appear on Friday, February 29, 2008, at 2:30 p.m. for a further case management conference in this action, with the parties' joint case management conference statement due five days prior.

IT IS HEREBY ALSO ORDERED that the stay in this action is continued to February 29, 2008.

Dated: January __, 2008.



Susan Illston
United States District Judge

1 Dated: January 15, 2008.

2 JOSE R. MATA
3 SUSAN SEEMILLER
4 BAILEY PINNEY, PC

5 BONNIE MAC FARLANE

6 By: 

7 Jose R. Mata
8 Attorneys for Plaintiff Okechukwu Mbama

9 Dated: January 15, 2008.

10 JEFFREY D. WOHL
11 RISHI N. SHARMA
12 GREGGORY W. DALTON
13 PAUL, HASTINGS, JANOFSKY & WALKER LLP

14 By: _____

15 Rishi N. Sharma
16 Attorneys for Defendant Target Corporation
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